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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,931	09/23/2004	Michael Oetliker	04-511	9873
34704	7590	12/14/2005	EXAMINER	
BACHMAN & LAPOINTE, P.C. 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510			CHU, CHRIS H	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/508,931	Applicant(s) OETLIKER, MICHAEL	
	Examiner Chris H. Chu	Art Unit 2874	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-14, 16-18, 21-23 is/are rejected.
- 7) ☒ Claim(s) 15, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                            |                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                       | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/04</u> . | 6) <input type="checkbox"/> Other: ____.                                                |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The prior art documents submitted by applicant in the Informational Disclosure Statement filed on December 27, 2004 have all been considered and made of record (note the attached copy of form PTO-1449).

### ***Drawings***

Three (3) sheets for formal drawings were filed September 23, 2004 and have been accepted by the Examiner.

### ***Specification***

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim 12, 13, 18, 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Imamura (US 2002/0015565).**

Regarding claim 12, Imamura discloses a home and building information system comprising at least one electrical power network (electrical distribution line 2 in Fig. 1) connected to an electrical power supply line (power cable 3 in Fig. 1) and at least one local optical data network (communication network 1 in Fig. 1) for information exchange and the supply, control and monitoring of peripherals and terminals, and further comprising electrical conductors (103 in Fig. 8a) of the at least one electrical power network and at least one optical fiber (102 in Fig. 8a) of an optical passive data network being arranged running parallel and integrated in all of a plurality of components, and said components comprising firstly fixed-wired installation lines (see Fig. 7) with sockets (104 in Fig. 8a) and secondly variable installations with flexible network cables and plugs (101 in Fig. 8a).

Regarding claim 13, Imamura discloses a home and building information system wherein the at least one optical fiber of the optical data network is connected to at least one data supply line by way of secured, disconnectable devices (see Figs. 4a-4d) with electrical power pack and optical interface in paragraph 153.

Regarding claim 18, Imamura discloses a home and building information system further comprising at least one data supply line comprising at least one of a telephone, television and internet line in paragraph 136.

Regarding claim 21, Imamura discloses a process for use of an information system wherein it is used with different standards simultaneously in paragraph 172.

Regarding claim 22, Imamura discloses a process for use of an information system wherein the standards and protocols of information transmission are determined by devices connected to the sockets in paragraphs 173 and 174.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imamura (US 2002/0015565) in view of Mahony (6,539,147).**

Regarding claim 14, Imamura teaches a home and building information system wherein integrated in standard sockets, plugs, multiple plugs and connector strips is at least one optical fiber with corresponding optocouplings in Figs. 8a-8c and 9a-9b.

Imamura does not specifically state the sockets and plugs to have Live, Neutral and Earth pins, though it is commonly known in the art that sockets and plugs have these pins. Imamura does not specifically disclose the fibers to have beam splitters in the connector strips in Figs. 9a-9b. Mahony teaches splitters used with optical fibers in column 3, lines 25-30. Since both inventions relate to optical networks, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the splitters as disclosed by Mahony in the network disclosed by Imamura for the

purpose of allowing a fiber optic strand to branch into multiple strands, which widens the coverage area of a network.

**Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imamura (US 2002/0015565) in view of Chen et al. (US 2002/0176567).**

Regarding claim 16, Imamura teaches the claimed invention and also the optical data network being connected to an external information supply line (4 in Fig. 1) by way of an optical interface connected to a socket in Fig. 6. Imamura does not teach the optical data network connected to at least one transceiver with a power pack and an optical interface or at least one modem. Chen et al. teaches a data network connected to a modem (ISP access device in Fig. 1). Since both inventions relate to home data networks, it would have been obvious to one of ordinary skill in the art at the time the invention was made to connect the home data network as disclosed by Imamura to a modem as disclosed by Chen et al. for the purpose of providing Internet service to the devices in the home data network.

Regarding claim 17, Imamura teaches the claimed invention except for a transceiver connected to a socket which supplies several local data networks. Chen et al. teaches a transceiver which supplies several local data networks (computing devices in Fig. 1A and paragraph 29) in paragraph 32 and Figs. 1A-1B. Since both inventions relate to home data networks, it would have been obvious to one of ordinary skill in the art at the time the invention was made to connect the home data network as disclosed by Imamura to a transceiver as disclosed by Chen et al. for the purpose of supporting several local data networks.

**Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imamura (US 2002/0015565).**

Regarding claim 23, Imamura teaches the claimed invention but does not specifically state that devices with high speed transmission and devices with lower transmission rates are operated on separate wavelengths for transmission and reception. However, one having ordinary skill in the art at the time of the invention would have found it obvious to have the devices operating on separate wavelengths in order that the signals for the devices would not interfere with each other.

***Allowable Subject Matter***

**Claims 15 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

The following is a statement of reasons for the indication of allowable subject matter: The prior art cited on attached form PTO-892 is the most relevant prior art known, however, the invention of these claims distinguishes over the prior art of record because none of the references either alone or in combination disclose or render obvious what is defined in these claims.

Regarding claim 15, the prior art of record fails to teach or fairly suggest a home and building information system wherein all sockets of the fixed-wired installation lines are connected by way of their own optical line to a central system which allows

elimination or a restricted number of beam splitters in fixed laid installations and of multiple plugs in variable installations.

Regarding claims 19-20, the prior art of record fails to teach or fairly suggest a home and building information system wherein the at least one optical fiber is taken from a flexible network cable and connected externally to an optical interface of a peripheral or terminal not supplied by the at least one electrical power network or without corresponding equipment. In the Imamura reference, the optical fiber and the electrical plugs are disclosed as being integrated into one cable and there is no reason or motivation to separate the optical fiber and connect it to a terminal not supplied by the electrical power network. Consequently, there is also no reason or motivation to take the optical fiber from the network cable and connect it to a peripheral or terminal without corresponding equipment.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris H. Chu whose telephone number is 571-272-8655. The examiner can normally be reached on 8:30 AM - 5:00 PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 571-272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.




Art Unit: 2874

Any inquiry of a general or clerical nature should be directed to the Technology Center 2800 receptionist at telephone number (571) 272-1562.



Chris H. Chu  
Patent Examiner  
December 9, 2005



MICHELLE CONNELLY-CUSHWA  
PRIMARY EXAMINER  
12/12/05